

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

| | | |
|-----------------------------------|---|--------------------------------------|
| STEVEN J. BENNETT, | : | |
| | : | |
| | : | |
| Plaintiff, | : | NO. 3-17-CV-2031 |
| | : | |
| | : | |
| v. | : | Judge Caputo |
| | : | |
| | : | |
| TROOPER JAIME LOPEZ and | : | Electronically Filed Document |
| TROOPER GABRIEL L. PADUCK, | : | |
| | : | |
| | : | |
| Defendants | : | |

MOTION FOR SUMMARY JUDGMENT

Defendant, Trooper Gabriel L Paduck, through his counsel, and pursuant to Federal Rule of Civil Procedure 56, hereby requests that this Court enter summary judgment in his favor and against Plaintiff.

In support of this motion, Defendant refers the Court to his State of Material and Undisputed Facts and his supporting Brief, which are being filed contemporaneously with this Motion.

WHEREFORE, the Motion of Defendant should be granted, and judgment should be entered in his favor as a matter of law, with prejudice.

Respectfully submitted,

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BY: *s/ Stevan Kip Portman*
STEVAN KIP PORTMAN
Assistant Counsel
Attorney I.D. #38493

NOLAN B. MEEKS
Acting Chief Counsel

Date: November 26, 2019

*Counsel for Defendant, Trooper
Gabriel L. Paduck*

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| | : | |
| Defendants | : | |

CERTIFICATE OF NON-CONCURRENCE

I, Stevan Kip Portman, Assistant Counsel, hereby certify that I contacted Plaintiff's counsel for the purpose of seeking his concurrence in the within Motion for Summary Judgment. Counsel does not concur in Defendant's Motion for Summary Judgment.

s/ Stevan Kip Portman
STEVAN KIP PORTMAN
Assistant Counsel

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| | : | |
| Defendants | : | |

CERTIFICATE OF SERVICE

I, Stevan Kip Portman, Assistant Counsel for the Commonwealth of Pennsylvania, Pennsylvania State Police, hereby certify that on November 26, 2019, I caused to be served a true and correct copy of the foregoing document titled Motion for Summary Judgment to the following:

VIA ELECTRONIC FILING

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Counsel for Defendant Trooper Jamie Lopez

Respectfully submitted,

Date: November 26, 2019

BY: s/ Stevan Kip Portman
STEVAN KIP PORTMAN
Assistant Counsel